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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/355,990	08/24/1999	TAKAYA NONOMURA	P341-9004	7195

7590 09/07/2004

Arent Fox Kintner Plotkin & Kahn PLLC
1050 Connecticut Avenue, N.W.
Suite 400
Washington, DC 20036-5339

EXAMINER

DESIR, JEAN WICEL

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental

Advisory Action

Application No.

09/355,990

Applicant(s)

NONOMURA ET AL.

Examiner

Jean W. Désir

Art Unit

2614

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: 3-8.

Claim(s) objected to: _____.

Claim(s) rejected: 2 and 9.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


MICHAEL H. LEE
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: The Applicants' arguments have been fully considered, but they are not persuasive. For instance, Applicants argue, on pages 3 and 4 of the REMARKS, that "Yuen fails to disclose or suggest at least the limitation of "a second compositor for composing the first compression video signal and the second compression video signal such that a broadcast video and a program guide are displayed on different screen portions of a monitor"". These arguments are not persuasive, because Yuen clearly suggests a second compositor for composing a broadcast video signal (item 42 of Figs. 3, 9) and a program guide signal (item 46 of Figs. 3, 9) that are provided by the first compressor and the second compressor which have been maintained obvious to an artisan for the reasons given in parts d) and e) in the Final Rejection mailed on 3/31/04. The Applicants agree with the obviousness of the first compressor and the second compressor, as claimed, because the Applicants have not been presented any reasons why they are not obvious. And the broadcast video signal (item 42) and the program guide signal (item 46) are clearly shown displayed on different screen portions of a monitor (see again Figs. 3, 9). Therefore, Applicants arguments are not persuasive, the Final Rejection over Yuen et al, mailed on 3/31/04, is maintained before the Office.